

**The Tree Commission Meeting for the City of New Castle took place on November 1, 2010 at 5:30 p.m. in the City of New Castle's Town Hall.**

Members Present: Chip Patterson, Chairperson  
Susan Keyser, Co-Chairperson  
Erv Thatcher  
John Lloyd  
Mark Miller  
Toby Hagerott

Members Absent: Tom Truman  
Nancy Coning  
Fran Peden

The meeting was called to order by Mr. Patterson at 5:40 p.m. Roll call was taken.

Approval of Minutes – The minutes of the 10/4/10 meeting are being deferred until November. Mr. Patterson has requested the stenographer to review the recording for an item not shown in the minutes.

**MEMBERS REPORT**

Erv Thatcher – There are 5-6 trees on Third Street (Wilmington Road into Third Street) that need to be trimmed up. Trucks are striking low-hanging branches.

Susan Keyser – She has talked to Ms. Lynn MacEwen about branches to be pruned on her tree.

Mark Miller – Nothing to report.

Toby Hagerott – There is a maple tree across from the Duncan house on The Strand that contains dead branches and another maple tree across the street from the Read House that has a number of dead branches. Both need to be addressed.

Mr. Hagerott also noted a Buckeye Chestnut on The Strand and Harmony Street (across from parish house) that has a cavity on the bottom and a couple major limbs that have holes in them that are occupied by squirrels. He suggested removal but Commission members were asked to look at this tree.

Mr. Patterson added there is a dead tree on West Fifth Street (Buckeye Chestnut). Commission members were asked to look at the tree.

Mr. Hagerott asked if there is a plan for replacing mature trees on The Strand when they need to be removed. He suggested a rotation plan so the street is not nude. *(Discussion followed about a rotation plan or other plan of action and funding.)*

John Lloyd – There is a maple tree in front of 15 The Strand that has a lot of dead wood in it.

Ratchford and Beale, Willow Oaks – Mr. Russ Carlson is a certified arborist. He was invited to appear before the Tree Commission to address questions/concerns Commission members have regarding this matter.

He wanted to be clear for the Tree Commission, residents and himself that his role is a consultant to the Tree Commission and the City of New Castle. He advises on the condition and care of trees the Tree Commission has control over, mostly street trees. In the past the Tree Commission has desired to preserve and protect street trees in New Castle where it is reasonably possible. When he is asked to look at trees he looks at whether it is good to preserve or protect the tree recognizing safety is a major issue (branches falling, tree falling, sidewalks, etc.). He tries to seek ways to keep the trees where they are yet recognizing any risk involved to people and/or property. He began his presentation.

Trees in general are not deep rooted. Most trees in this region are shallow rooted where we don't usually find roots beyond 3 feet deep. The limiting factor for tree roots is oxygen in the soil. *(He described the process of oxygen reaching roots.)* The condition of the soil on The Strand is not good. There is soil compaction, old utilities, and debris that do not allow ample air and water to infiltrate well causing roots to be closer to the surface. Roots from the subject willow oak trees can reach 100 feet from the base.

Mr. Carlson provided recommendations to the list of issues raised. Concerning an email from Ms. Linda Ratchford dated 10/4/10 citing comments from Mr. David Maull, he agreed with the comments excepting that the trees must be removed and sidewalk repairs. Not addressed in Mr. Maull's email was whether the trees should be removed or stay. Root barriers were suggested in Mr. Maull's email. *(He provided a detailed account of root barriers and a root barrier procedure performed recently at The Amstel House.)* Root barriers are very effective for most situations and are long-term, but are not 100% foolproof and are not a permanent solution.

He reported the willow oaks in question will continue to grow larger in height, the canopy will spread, and the trunk will continue to grow larger in diameter as will the roots. Roots grow where conditions allow. Trees continue to grow yearly and he expects the subject willow oak trees to grow as much as 1/8" to 1/4" of an inch in trunk diameter yearly and possibly faster. The roots are not contained even though the conditions are not good. They are growing into lawns, under the road, etc. *(Discussion about the strength of tree roots and their impact on surroundings such as sidewalks, curbs, and foundations followed. Also discussed was a pipe that runs to the street between the Ratchford house and Beale house that is now raised thus allowing water to stand. The greater risk from roots against the foundation is small roots that penetrate cracks and crevices in the mortar and old stone foundations that have tiny gaps. The roots expand and cause issues with the foundation. He asked the homeowners if they have seen any problems with their foundation and they have not. This does not mean it will not happen.)*

Mr. Patterson expressed concern with setting precedence. The willow oak is an inappropriate tree for this location but wonders if it inappropriate as a street tree elsewhere in the City, or is it particular to each circumstance because of the many factors Mr. Carlson has mentioned tonight.

Mr. Thatcher is concerned with these trees being so close (4-5 ft.) to the house. Ms. Ratchford noted that she is concerned with changes in moisture in the soil. This could weaken the foundation wall as well. They are seeing changes in water sloping towards their house rather than away as it was before. The drainage in between the houses is a problem. She is also concerned with the growth pattern of the tree.

Ms. Keyser does not believe willow oaks need to be banned. Each tree should be considered per site. Mr. Carlson is hesitant to recommend removing every willow oak in the City or from the 'not recommended list' altogether. Each situation should be reviewed separately. They are a good tree because they are a native species to this area, they are sturdy and healthy, have fewer pest problems, grow fast, and they are a lower maintenance oak tree. He reiterated his job is to try to find ways to preserve/protect trees while seeking solutions to preserve infrastructure. However, he is not against taking trees down in certain instances.

Mr. Patterson acknowledged the Tree Commission is aware of the specific concerns of the homeowners. There is evidence of a stoop being raised and complaints about a drainage pipe being raised so the fall is towards the house and the heaving of the pavement areas. Any other issues beyond visual inspection is speculation. Mr. Carlson's letter addressed problems specifically with the intent of preserving the tree. Mr. Patterson asked if it is logical to believe Mr. Carlson's comments would be a long-term remediation of the problems mentioned by the homeowners or would they be returning to us in a couple of years. Mr. Carlson stated that if we trench along the foundation, find the roots, sever the roots and install a root barrier 6-8 inches away from the foundation that would be more of a long-term solution. Sidewalks are a tough issue because the roots grow larger in diameter each year and upward each year but over time they will lift the sidewalks. A root barrier will not prevent this from happening. A root barrier can be done underneath the pavement which will stop smaller roots but won't serve to prevent humps that occur over time. *(A detailed description of the process was provided and questions were addressed. Additional discussion about structural soil [comprised of sizable pieces of gravel or crushed stone mixed with a light soil mixture] followed. Structural soil is more successful with new trees versus mature, established trees.)*

Mr. Lloyd revisited the drainage situation asking if the drainage issue can be resolved without jeopardizing the structural roots of the tree. Mr. Carlson said drainage has shifted and is sloping towards the house which prevents water from flowing. A trench could be installed but you have to have a place for the water to flow. If the option to install a root barrier were taken then drainage parallel to the foundation could be

installed thus taking the water away from the foundation. The water must still have a place to go. Ms. Ratchford said she was instructed not to raise the grade against the foundation. *(Discussion followed.)*

Mr. Patterson asked Mr. Carlson if he could prepare a report showing costs involved remediating a problem versus the loss of the tree and at what point does it become unreasonable to ask a homeowner to expend their resources to preserve the tree. *(Costs associated with The Amstel House was estimated around \$3,500 which included root barrier installation and excavating some roots under the sidewalk. Additional discussion followed.)*

Mr. Carlson said he could draw up a rough estimate for expenses for what has been requested. He can provide estimates on installing root barriers and the like. However, the value of a tree is defined as the desire of the Tree Commission and the City to maintain mature tree cover versus a homeowner's desire to prevent potential future problems. Mr. Patterson is very concerned with what is reasonable on the part of the homeowner.

Ms. Keyser said the sidewalk is higher than the alley and asked how the pipe would drain. She does not believe there was natural drainage from the alley to the curb. Mr. Beale disputed the comment and said the drain is clogged by a tree root making it difficult for water to drain through the pipe. *(Discussion followed.)*

Ms. Keyser feels there is a solution to be worked out and to protect the foundation the barrier could be installed and the water could be routed and the homeowner would need to find a way to get it to the street. Mr. Patterson agreed things can be done but then the question needs to be asked about the cost versus the tree and what is reasonable for the homeowner. The Tree Commission does not typically remove healthy trees. There are no permanent solutions to the problems noted with the trees. Mr. Miller would like to see cost information from Mr. Carlson before making a decision. Costs involved are borne by the homeowner and Mr. Lloyd does not believe this is reasonable. Mr. Beale said they are being asked to pay for a temporary solution which expensive. A structural engineer has advised him the sub-surface of the soil has been compacted over the last 200+ years and under no circumstances should any ditch be created for drainage and root barrier against the foundation. The Ratchford's and Beale's don't mind paying for a permanent solution.

Mr. Lloyd again stressed his concern that the problems created by these two trees and any attempt at remediation could jeopardize the trees further and the homes could incur more issues by leaving the trees in place rather than removing them. The buttress roots on the trees are so close to the houses that if sidewalks are leveled to accommodate drainage problems then some of the big roots on the trees must be cut. *(Discussion followed.)*

Mr. Patterson would like to table a decision on this matter until all members of the Tree Commission are present to render their decision. He believes the homeowners would benefit from having all members of the Tree Commission weigh in. Mr. Carlson will provide an estimated value of the trees as well as an estimate of remediation options to be considered when making a decision. *(There was a discussion about ground penetrating radar among Commission members and Mr. Carlson.)* Mr. Hagerott stated the value of the trees is important because trees give value to the house should it be appraised.

**Mr. Miller made a motion to defer action on this matter until the December meeting. The motion was withdrawn to allow for further comments.**

Mr. Beale addressed Mr. Hagerott's statement. The homeowners first requested removal of the trees in June and should either homeowner decide to sell their house the situation involving these trees is a matter of public record. He is concerned the tree situation may take away from the houses.

**Mr. Miller made a motion to table action on this matter until the December meeting. He does not see any pressing urgency and tabling the matter will allow all Tree Commission members the opportunity to vote on the matter. Mr. Hagerott seconded the motion which was approved.**

#### CHAIRMAN'S COMMENTS

Mr. Patterson reported on the trees (pin oaks) on Tremont Street that need to be limbed up. This item was raised in our October meeting. He and Steve Samluk of Tree, Inc. went to the area to get pricing on the work. After the work was completed a homeowner expressed displeasure to Mr. Patterson about the work that was performed. *(He described the work that was done by Tree, Inc.)* Mr. Patterson spoke to the homeowner to explain how work is done by this body. *(Discussion followed about a grant application and the application that Mr. Patterson submitted.)* Commission members have looked at the work that was done by Tree, Inc. and further discussed same. Mr. Lloyd added that Tree, Inc. removed some dead wood in the lower area of the tree but did not remove all of the dead wood. Mr. Thatcher suggested to Mr. Lloyd that 'before' and 'after' pictures of work to be performed should be done, which Mr. Lloyd agreed with. *(Additional discussion followed.)* The homeowner wants trees planted on the site. Mr. Patterson does not agree with planting additional trees due to limited space in the area. Tree Commission members agreed.

**Mr. Thatcher made a motion that no trees be planted at this location; there is not sufficient room. Mr. Lloyd seconded the motion. The motion was approved.**

Work performed by Tree, Inc. on a tree for Ms. Lynn MacEwen was then raised.

Mr. Patterson asked Ms. Keyser if we are using Bob Rizzardi for our fall planting. She said she has been concerned about poor quality trees being planted in the past and has spoken to Mr. Rizzardi about this matter. Mr. Patterson stressed moving forward with the fall tree planting. *(Discussion about tree planting and nurseries followed.)*

Ms. Keyser informed that Ms. Midge McGraw has donated money to plant a memorial tree in Dewey Park to replace the tree that she previously planted which was crushed by another tree that fell on it. Mr. Patterson cautioned about work in Dewey Park without Trustees' approval. Ms. Keyser informed they have given approval. The location for the tree is not appropriate any longer and she asked for direction. Mr. Patterson noted the Tree Commission decides where trees are planted rather than the homeowner. He suggested Ms. Keyser locate an appropriate location in Dewey Park. Mr. Thatcher will coordinate with Ms. Keyser to select a location for the tree.

Adjournment

**A motion was made and seconded to adjourn the meeting. The motion was approved and the meeting was adjourned at 7:40 p.m.**

Respectfully submitted,

**Debbie**

Debbie Turner  
Stenographer